
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Babacar Dieng

Write the full name of each plaintiff.

-against-

New York City NYPD

NEW York City FDNY

Write the full name of each defendant. If you need more space, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section II.

CV

(Include case number if one has been assigned)

COMPLAINT

Do you want a jury trial?

☐ Yes ☒ No

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than \$75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal-court jurisdiction in your case?

☒ **Federal Question**

☐ **Diversity of Citizenship**

A. If you checked Federal Question

Which of your federal constitutional or federal statutory rights have been violated?

1st amend. discrimination on freedom of religion and conscience, assembly restric. of movements

5th Amend "due process of law", denial of "life, liberty or property", 8th Amendment

9th Amend the enumeration of certain rights in the Constitution should not be construed to mean that....

14th Amend. Section 1

B. If you checked Diversity of Citizenship

1. Citizenship of the parties

Of what State is each party a citizen?

The plaintiff, United States of America, is a citizen of the State of
(Plaintiff's name)

New York

(State in which the person resides and intends to remain.)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of

If more than one plaintiff is named in the complaint, attach additional pages providing information for each additional plaintiff.

If the defendant is an individual:

The defendant, _____, is a citizen of the State of _____
(Defendant's name)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of _____.

If the defendant is a corporation:

The defendant, NYPD and FDNY, is incorporated under the laws of the State of New York

and has its principal place of business in the State of New York

or is incorporated under the laws of (foreign state) _____

and has its principal place of business in New York.

If more than one defendant is named in the complaint, attach additional pages providing information for each additional defendant.

II. PARTIES

A. Plaintiff Information

Provide the following information for each plaintiff named in the complaint. Attach additional pages if needed.

<u>Babacar</u>		<u>Dieng</u>
First Name	Middle Initial	Last Name
<u>505 West 162nd Street</u>		
Street Address		
<u>New York</u>	<u>NY</u>	<u>10032</u>
County, City	State	Zip Code
<u>6463798824</u>	<u>bbdieng@live.com</u>	
Telephone Number	Email Address (if available)	

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1:	NYPD		
	First Name	Last Name	
	Current Job Title (or other identifying information)		
	New York City Police Department		
	Current Work Address (or other address where defendant may be served)		
	1 Police Plaza	NY	10038
	County, City	State	Zip Code
Defendant 2:	FDNY		
	First Name	Last Name	
	Current Job Title (or other identifying information)		
	New York City Fire Department		
	Current Work Address (or other address where defendant may be served)		
	9 MetroTech Ctr, Brooklyn		
	New York	NY	11201
	County, City	State	Zip Code
Defendant 3:			
	First Name	Last Name	
	Current Job Title (or other identifying information)		
	Current Work Address (or other address where defendant may be served)		
	County, City	State	Zip Code

Defendant 4:

First Name			Last Name		
Current Job Title (or other identifying information)					
Current Work Address (or other address where defendant may be served)					
County, City		State		Zip Code	

III. STATEMENT OF CLAIM

Place(s) of occurrence: Subways 145th and in All New York City Streets and Place of Accommodation

Date(s) of occurrence: 22 Yeas on the making , last know was 02/22/2024 on the 145th Train Subway

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and what each defendant personally did or failed to do that harmed you. Attach additional pages if needed.

For 22 years, the NYPD has persistently tracked, followed, harassed, intimidated, and violated the defendant's fundamental human rights, encroaching upon their liberty of movement and privacy. This unwavering surveillance has not only targeted the defendant's residence but has also extended to their workplace and daily commute. The defendant has endured the same intrusive tactics while at work, during travel to work, and even while attending job interviews.

These actions have been solely motivated by the defendant's race (being black), religion (being Muslim), and African descent. Despite lodging numerous complaints with authorities such as the City of New York, the Civilian Complaint Review Board, the NYC Human Rights Commission, and the NYPD Comptroller's Office and the Department of Justice Civil Right Division, no actions have ever been taken. Unfortunately, the NYPD persists in subjecting the defendant to the same intrusive tactics that have persisted for over two decades.

As an African American Muslim American immigrant from West Africa, I arrived in the United States with a strong educational background, holding bachelor's and master's degrees in computer science from my home country. Despite further academic achievements, including earning a Bachelor of Engineering in Telecommunication Engineering in 2023 with magna cum laude honors, I have faced persistent barriers to employment due to discrimination and persecution.

The injustices I have endured not only violate my basic rights but also impede my ability to secure meaningful employment opportunities commensurate with my education and skills. Agencies such as the NYPD, FDNY, and law enforcement entities associated with public and private universities, including those located on the west side of Manhattan and Jay Street in Brooklyn, have all contributed to the violation of my civil and constitutional rights.

Under the mayoral administrations of Mike Bloomberg, Bill de Blasio, and Eric Adams, along with their respective police commissioners Raymond Kelly, William J. Bratton, James P. O'Neill, Keechant Sewell, and Edward Caban, policies and practices perpetuating discrimination and persecution have been overseen.

Despite my dedication to education and contributing positively to society, systemic discrimination has hindered my professional advancement and deprived me of pursuing career opportunities for which I am qualified. This lawsuit aims to address ongoing discrimination and hold accountable those responsible for perpetuating this injustice.

1. The Plaintiff, [Your Name], brings this action against the Defendants, alleging a pattern of harassment, surveillance, and intimidation spanning over two decades.
2. The Plaintiff asserts that the NYPD has engaged in a campaign of tracking and following the Plaintiff's movements throughout various neighborhoods in New York City, including Soho, West Village, and stretches of Eighth Avenue, using marked and unmarked vehicles. This conduct has extended to following the Plaintiff to their residence and workplaces, including incidents at Trader Joe's, Costco, and other locations, as detailed in the annex to this complaint.
3. The Plaintiff further alleges that the NYPD has coordinated with security apparatuses of various academic institutions, including Columbia University, Barnard College, and City College of New York, to continue surveillance and harassment.
4. Incidents involving the NYPD also include unwarranted stops, ticketing, and fines, such as falsely accusing the Plaintiff of traffic violations and conducting checkpoints to impede their movement.
5. Regarding the FDNY, the Plaintiff describes an incident where a firetruck parked behind them while awaiting assistance for a flat tire. The Plaintiff alleges this was part of a broader pattern of surveillance and intimidation.
6. Additionally, the Plaintiff asserts that City College of New York and City University of New York have been complicit in the harassment, citing instances of being followed by campus security while driving in the vicinity of City College, and being denied enrollment despite meeting academic qualifications.
7. The Plaintiff also alleges discriminatory treatment by faculty members at New York City College of technology, including accusations of terrorism and collusion with law enforcement.
8. The Plaintiff contends that these actions by the Defendants have violated their civil rights, including the right to privacy, freedom of movement, and equal treatment under the law.

9. The Plaintiff seeks relief from the Court, including but not limited to damages for emotional distress in the amount of 150,000,000 (150 million US Dollars), injunctive relief to cease the harassment and surveillance, and a declaration that the Defendants' actions are unconstitutional and unlawful.
10. The Plaintiff submits that the evidence provided in the annexes to this complaint supports their claims and requests the Court to grant them a fair hearing and just remedy.

Location: New York City, various locations including but not limited to Soho, West Village, 8th Ave from 34th street to 59th street, Columbus Ave, Trader Joe's on 95th St, Amsterdam Ave, 96th St exit for N#1 Train, 135th Saint Nicholas Ave, East 138th Street D-train stop, 116th Street Costco, 116th garage on Claremont Avenue, Bronx Road Test location, Brooklyn Bridge Pizza shop, 48th Avenue in Brooklyn, Bronx market, 90th Street between CPW and Amsterdam, Laundromat and Supermarket at 161st St and Saint-Nicholas, Park Avenue, LabCorp Annual Drug test on Broadways and Audubon Avenue, Peter Luger Steakhouse in Williamsburg, JFK Delta Gates, JFK Airport, Senegalese consulate in New York, Lot-less store at 40th between 8th and Broadway, Randall Island, Roosevelt Island, various street checkpoints.

Details of Complaint: The complainant alleges being tracked, followed, harassed, and intimidated by the NYPD and other law enforcement agencies while going about daily activities in various locations across New York City. The incidents include being followed on foot, in vehicles, and being subject to surveillance in public spaces, including subway stations, shopping areas, and residential neighborhoods. The complainant provides detailed accounts of interactions with law enforcement officers dating back to 2011, including instances of being surrounded by multiple officers, being followed inside stores, being stopped at traffic checkpoints, and receiving traffic tickets allegedly based on false charges.

Complaint against the FDNY

Date of Incident: Between 2018 and 2019

Location: Downtown side Park Avenue between 89th-90th Street

Details of Incident: The complainant describes an incident involving the FDNY where, after experiencing a flat tire and waiting for assistance from their taxi garage, they observed an FDNY truck parked behind them on the opposite side of the street. The complainant alleges that the FDNY vehicle remained parked behind them until they were rescued by their garage. The complainant suspects that the FDNY, along with other city agencies, has engaged in surveillance and monitoring of their activities over the past two decades.

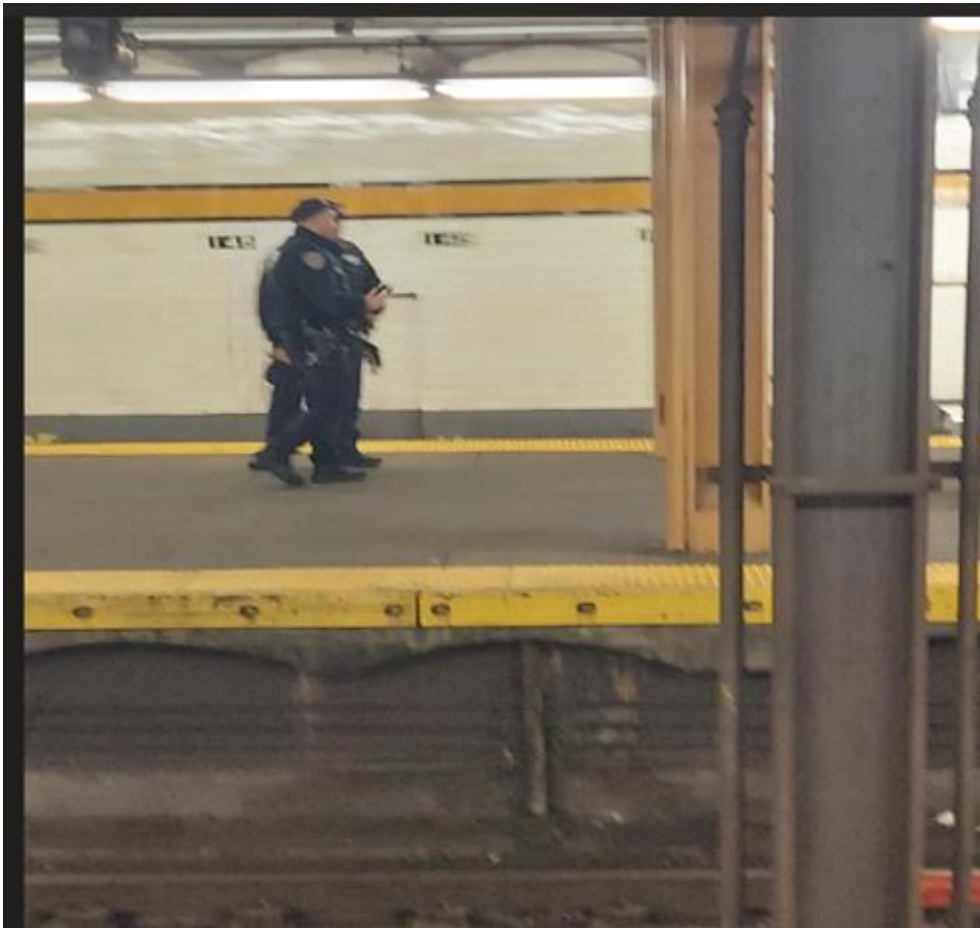
Background on the Issues

The complainant identifies as a Black man of African origin, a naturalized US citizen, and a Muslim. They allege being targeted and harassed by law enforcement agencies for the past 20 years based

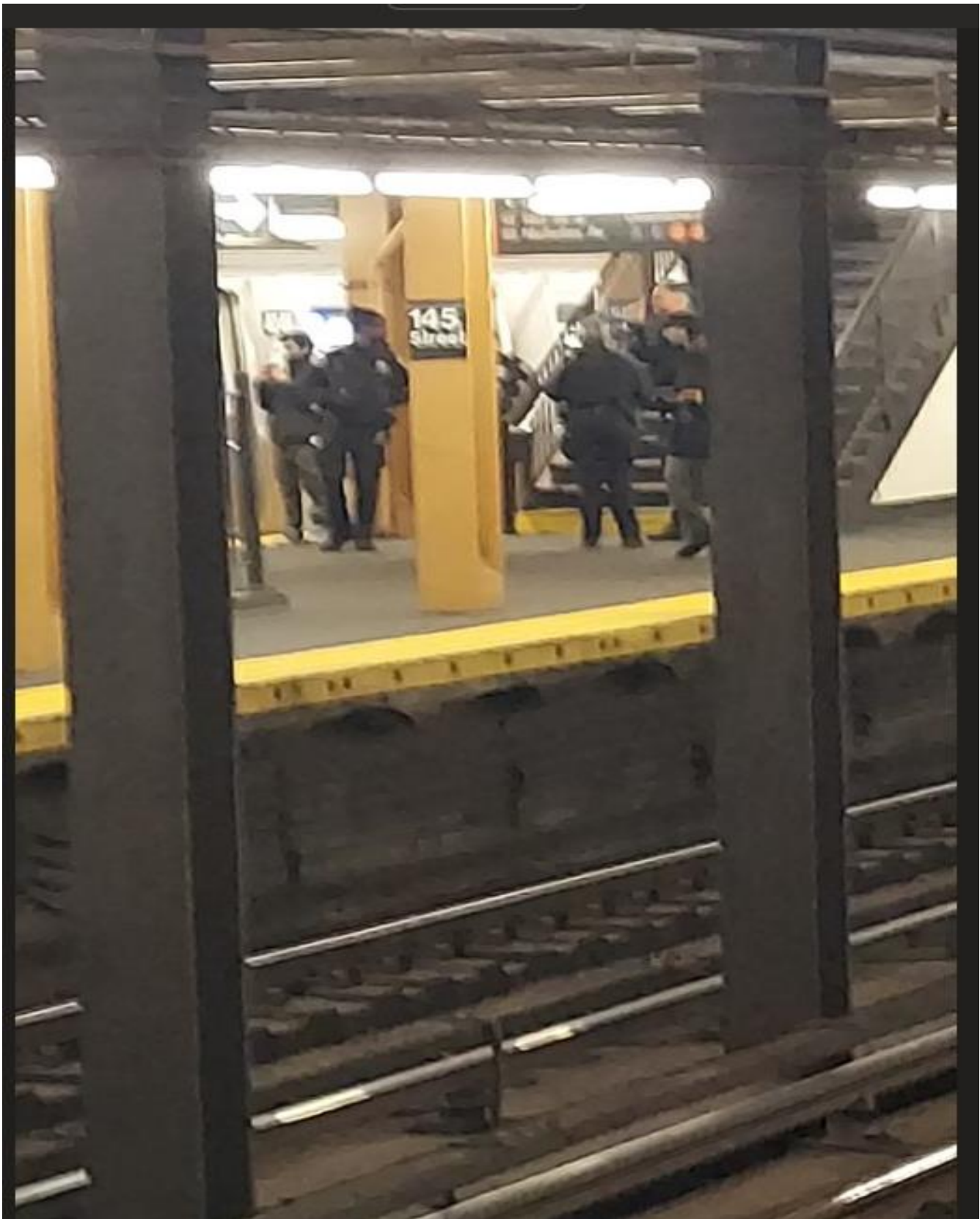
on their race, ethnicity, and religious affiliation. The complainant provides accounts of being followed and surveilled by City College Security while working as a taxi driver, being denied enrollment at City College as a transfer student and being harassed by security agencies at CityTech. Additionally, the complainant alleges being accused of being a terrorist by a faculty member at CityTech and facing discrimination and intimidation at the institution.

Last incident that I am aware of : 145th Street Station Friday February 23rd , 2024

Switching from the C train to an A train to go to JFK, I stayed about 3mn at the platform waiting for the arrival of the A train. Immediately about 5 or 6 police officers showed up on the platform. They have been doing this to me for over 22 years.



145th Street Station Friday February 23rd , 2024



Houston Street on the Day of the NYS Civil Service Exam Feb 10/2024



Sunday, 11/06/2022. I was at the Bronx Community College (BCC) at the Meister Hall. I was invited to come and participate to an event taking place as a member of the Cuny University community and student. My scheduled time was between 1PM-3PM. The official event started early at 10AM. So, participants were coming and going on a rolling basis. I was the last on the sequence to come at between 1PM and 3PM. I was being tracked and followed by Nypd patrol vehicle.

When I arrived, there was neither the Nypd parked at the door, nor the public safety vehicle parked on the other side opposite side of the security gate officer. The Nyp tracked my location and followed me around. When I exit around 3 PM, I saw the Nypd parked on the right side of the street near the security gate and exit of the campus hall and the public safety vehicle parked on the opposite side, facing the gate entrance and the Meister Hall building.

The security guard at the gate witnesses the event as they parked in from of his gate. They have been doing this to me at nearly two decades now under both the previous two Maires , and now under the new Maire that was sworn in 2022.

On Wednesday September/7/2022 time 7-40 / 7-50 AM, I walked to the subway train station at 168th street and Broadway to go take my writing class at my college in Brooklyn. I was followed by two Nypd police officers inside the train platform.

On August 30th or 31st 2021 at the same subway train station (168th Street) at around 11AM 12 noon. I get on the subway to meet with people in Brooklyn after doing a two-month internship with them. I was tracked and followed by two Nypd officers inside the Subway train station, downtown platform.

On 08/27/ 2020 and on

07/24/ 2020, two different days, same locations. I am walking along 7th Avenue in Harlem to go to 116th street for services offered by my community there. I was followed by two polices patrol vehicles. One patrol vehicle was riding along 7th Ave going Downtown and stopped facing me in front of the church and the 2nd patrol vehicle was riding along 15th street East to West direction.

From 2012 to 2019 I dove Taxi medallion in New York in New York city and was being followed by the Nypd from the time I picked up the taxi at the parking location to the time I exit the